**DISTRICT COURT OF THE VIRGIN ISLANDS**

**DIVISION OF ST. CROIX**

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| **MARK VITALIS,**<br><br>**Plaintiff,**<br>**v.**<br><br>**SUN CONSTRUCTORS, INC., HOVENSA, L.L.C., RICHARD "DOC" LANGNER, and EXCEL GROUP, INC.,**<br><br>**Defendants.** | **2005-CV-0101** |

**TO: Lee J. Rohn, Esq.**
**Charles E. Engeman, Esq.**
**C. Beth Moss, Esq.**

**ORDER**

THIS MATTER came before the Court upon Defendant HOVENSA's Notice of Compliance with the Court's Order for *In Camera* Review (Docket No. 132).

Defendant HOVENSA's Notice came in response to the Court's Order Regarding Plaintiff's Motions to Compel Defendant HOVENSA (Docket No. 128). The Court ordered Defendant HOVENSA to file "the addenda, attachments, and exhibits to the service agreement with Sun Constructors, Inc., with the Court for *in camera* review to determine whether and to what extent such documents contain any confidential information." Order at 5.

The Court has reviewed the documents and finds that the following documents contain information that is either confidential, proprietary, or not relevant to the current litigation:

1. Change Orders to Service Agreement No. HVS00497 between HOVENSA & Sun Constructors, Inc. Nos. -01 to -23.

2. Four items from the Appendices to Service Agreement No. HVS-0497 between HOVENSA & Sun Constructors, Inc., specifically, Appendix D, Compensation and Terms of Payment; Appendix R, Approved Vendors List; Appendix AA, Commercial Questions & Answers - Sun Resolutions; and Appendix EE, Unit Rates for Reimbursable Work.

Defendant HOVENSA is not required to produce the documents identified above to Plaintiff. However, Defendant HOVENSA is required to produce the remaining documents to Plaintiff. Said disclosed documents shall be subject to the Confidentiality Agreement executed among the parties and approved by the Court.

Accordingly, it is now hereby **ORDERED** that Defendant shall produce to counsel for Plaintiff, within ten (10) days from the date of entry of this order, Appendices to Service Agreement No. HVS-0497 between HOVENSA & Sun Constructors, Inc., specifically,

Appendix A, B, C, E, F, G, H, I, J, K, L, M, N, O, P, Q, S, T, U, V, W, X, Y, Z, BB, CC, DD, FF, GG, and HH.

ENTER:

Dated: June 27, 2007

/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE